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To:

Examiner K. Mitchell

From:

Byron S. Kuzara

COMPANY:

U.S.P.T.O.

DATE:

July 20, 2006

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RE:

U.S. Serial No. 10/685,309

OUR REFERENCE NO.:

005127.00467

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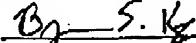
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I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at telephone number (571) 273-8300 on July 20, 2006.

Respectfully submitted,

By: 
Byron S. Kuzara
Registration Number 51,255
Banner & Witcoff, Ltd.

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of)
Philip Andrew FRANK) Art Unit: 3677
Serial Number 10/685,309) Examiner: Mitchell, K.
Filed: October 14, 2003) Attorney Reference: 005127.00467
For: FLEXIBLE BAND)

RESPONSE TO SUPPLEMENTAL NOTICE OF ALLOWABILITY

Commissioner for Patents
U.S. Patent and Trademark Office
Alexandria, VA 22313

Sir:

In a Supplemental Notice of Allowability mailed July 6, 2006, the Examiner submits that a copy of Swiss Patent CH663,136 to Grandjean was not provided in an Information Disclosure Statement filed June 29, 2005. As noted in that Information Disclosure Statement, various references (including Swiss Patent CH663,136 to Grandjean) were previously submitted. More particularly, a copy of Swiss Patent CH663,136 was previously submitted in an Information Disclosure Statement filed March 22, 2005. As evidence of the submission, and consideration of Swiss Patent CH663,136 to Grandjean by the Examiner, an initialed PTO-1449 form is submitted herewith.

Based upon the above discussion and the included PTO-1449 form, the Applicants respectfully requests that the Examiner expressly retract statements in the Supplemental Notice of Allowability indicating that Swiss Patent CH663,136 to Grandjean was (a) not provided to the Examiner and (b) not considered by the Examiner. Furthermore, the Applicants respectfully request that Swiss Patent CH663,136 to Grandjean be printed on the face of any patent issuing from the above-captioned application.

This Response is being filed by facsimile transmission on July 20, 2006. If anything further is desirable to expedite issuance of the above-captioned application, the Examiner is respectfully requested to telephone the undersigned representative at (503) 425-6800.

Respectfully submitted,

By: 
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Registration Number 51,255

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Dated: July 20, 2006

